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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/015,436 | 12/13/2001 | Mark C. Hlavach | 64392-0080 | 5696 |

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EXAMINER

STRIMBU, GREGORY J

ART UNIT

PAPER NUMBER

3634

DATE MAILED: 08/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/015,436 | Applicant(s) HLAVACH ET AL. | |
| | Examiner Gregory J. Strimbu | Art Unit 3634 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-15,19,21,29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-15,19,21,29 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/26/02 + 8/22/02</u> . | 6) <input type="checkbox"/> Other: _____ |

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because "The present invention is directed to" can be easily implied and therefore should be deleted. Correction is required. See MPEP § 608.01(b).

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. It is suggested that the applicant amend the title to include the intended use of the panel, i.e., for vehicle use.

Claim Rejections - 35 USC § 112

Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The recitation "the first longitudinal end to the second longitudinal end" on lines 10-11 of claim 30 render the claims indefinite because it is unclear if the applicant is referring to the longitudinal ends of the outer or inner panel.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 5, 10, 13-15, 19, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grimes in view of Kaaden. Grimes discloses a double-walled structural panel suitable for a vehicle comprising: an outer panel 12 having a top portion (not numbered, but shown in figure 1), first and second longitudinal ends (not numbered, but shown in figure 1), an outer appearance surface (not numbered, but shown in figure 1), an inner surface (not numbered, but shown in figure 2), and one or more outer attachment points (not numbered, but comprising the points at which the fasteners 36 connect the outer panel 12 to the inner panel 14); an inner panel 14 comprised of plastic and having a top portion (not numbered, but shown in figure 3), first and second longitudinal ends, top and bottom vertical ends (not numbered, but shown in figure 3), an inner appearance surface 32, and one or more inner attachment points (not numbered, but comprising the points at which the fasteners connect the outer panel 12 to the inner panel 14); a support structure 28, 30 comprised of plastic that is formed

Art Unit: 3634

integrally as a single component with the inner panel; wherein the support structure extends both longitudinally from the first longitudinal end to the second longitudinal end; and at least one connector 36 for connecting one or more inner attachment points and one or more outer attachment points wherein said outer panel and said inner panel are detachably connected, integral inner supports 28d which form a plurality of compartments 28a. Grimes is silent concerning an outer plastic panel and a support structure that extends vertically from the top vertical end to the bottom vertical end of the inner panel.

However, Kaaden discloses a doubled-walled structural panel comprising an outer thermoplastic panel 3' and an inner thermoplastic panel 1 (see figure 9 and column 4, lines 21-24) wherein a support structure 2 extends horizontally from a first longitudinal end to a second longitudinal end and from a top end to a bottom end.

It would have been obvious to one of ordinary skill in the art to provide the outer panel of Grimes with a plastic construction and to extend the support structure to the top and bottom ends of the inner panel of Grimes, as taught by Kaaden, to decrease the weight of the door and to increase the strength of the door, respectively.

Claims 6, 7, 11, 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grimes in view of Kaaden as applied to claims 1, 4, 5, 10, 13-15, 19, 29 and 30 above, and further in view of Presto. Presto discloses a hardware bracket 54 connected to an inner panel 12 at a hardware attachment point (not numbered, but shown in figure 2), the bracket 54 is L shaped.

Art Unit: 3634

It would have been obvious to one of ordinary skill in the art to provide Grimes, as modified above, with an hardware bracket, as taught by Presto, to increase the ease with which the door latch can be attached to the door while increasing the strength of the door.

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grimes in view of Kaaden as applied to claims 1, 4, 5, 10, 13-15, 19, 29 and 30 above, and further in view of Grier et al. Grier et al. disclose a structural panel comprising integral connectors 48 at an outer attachment point of an outer panel 16 which mate with corresponding features (not numbered, but shown as the slots in figure 4) in the inner panel 12.

It would have been obvious to one of ordinary skill in the art to provide Grimes, as modified above, with a connection means, as taught by Grier et al., to reduce vibration of the assembly and ensure a proper fit (see column 1, lines 39-40).

Response to Arguments

Applicant's arguments filed June 13, 2005 have been fully considered but they are moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. The applicant has amended the claims to at least include the further

Art Unit: 3634

limitation of the support structure being formed integrally as a single component with the inner panel (see lines 9-10 of claim 1 and lines 9-10 of claim 30 and lines 7-8 of claim 21) which necessitated the new grounds of rejection.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3634

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a stylized flourish at the end.

Gregory J. Strimbu
Primary Examiner
Art Unit 3634
August 19, 2005